

TM

3736

Please Direct All Correspondence to Customer Number **20995**

AMENDMENT / RESPONSE TRANSMITTAL

Applicant : Shults, et al.
App. No : 09/447,227
Filed : November 22, 1999
For : DEVICE AND METHOD FOR
DETERMINING ANALYTE LEVELS
Examiner : Robert L. Nasser
Art Unit : 3736

CERTIFICATE OF MAILING

I hereby certify that this correspondence and all marked attachments are being deposited with the United States Postal Service as first-class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on

January 3, 2007

(Date)

Rose M. Thiessen, Reg. No. 40,202

Mail Stop Amendment

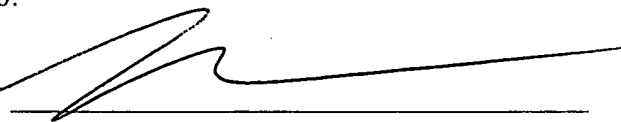
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Transmitted herewith for filing in the above-identified application are the following enclosures:

- (X) Interview Summary in 3 pages.
- (X) Return prepaid postcard.

Please charge any additional fees, including any fees for additional extension of time, or credit overpayment to Deposit Account No. 11-1410.



Rose M. Thiessen
Registration No. 40,202
Attorney of Record
Customer No. 20,995
(619) 235-8550





IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Shults, *et al.*
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Rose M. Thiessen, Reg. No. 40,202

INTERVIEW SUMMARY**Mail Stop Amendment**

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Dear Sir:

In response to the Interview Summary mailed by Examiner Nasser on December 13, 2006 concerning the telephonic interview with Applicants' representative Laura Johnson on November 28, 2006, Applicants respectfully request that the Examiner enter the following response.

Summary of Interview begins on page 2 of this paper.

Appl. No. : 09/447,227
Filed : November 22, 1999

SUMMARY OF INTERVIEW

Exhibits and/or Demonstrations

None.

Identification of Claims Discussed

Claims 33-35, 38, 39, 41, 42, 48, 49, and 54-83.

Identification of Prior Art Discussed

US 5,322,063 to Allen *et al.* and WO92/13271 to Rhodes *et al.*

Proposed Amendments

None.

Principal Arguments and Other Matters

Applicants' representative Laura Johnson asserted that WO92/13271 could not have a protruding tip, as it would conflict with its design. Examiner Nasser indicated that further consideration was required. Applicants' representative also asserted that US 5,322,063 does not disclose a protruding tip. Examiner Nasser indicated that any protrusion is considered a tip.

Results of Interview

Agreement was not reached.

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REMARKS

Should the Examiner have any concerns that might prevent the prompt allowance of the application, the Examiner is respectfully invited to contact the undersigned at the telephone number below.

Please charge any additional fees, including any fees for additional extension of time, or credit overpayment to Deposit Account No. 11-1410.

Respectfully submitted,

KNOBBE, MARTENS, OLSON & BEAR, LLP

Dated: 1/3/07

By: 

Rose M. Thiessen
Registration No. 40,202
Attorney of Record
Customer No. 20,995
(619) 235-8550

AMEND

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